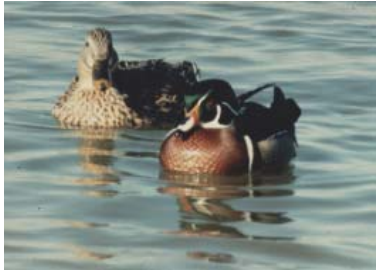


Problem

Sewage degrades water quality and is harmful to human health and aquatic life. It decreases the amount of oxygen available for aquatic life and introduces excessive nutrients to the water which increases algal growth. Excessive algae in the water limits the amount of sunlight that can penetrate the surface water and reach underwater vegetation. When algae dies, it is decomposed



by bacteria, which further reduces the amount of oxygen. This has a direct impact on the aquatic life in our lakes.

Raw sewage can also introduce bacteria and viruses that can cause disease. People who swim in contaminated water can suffer from typhoid, hepatitis, cholera or gastroenteritis. Boat owners may be surprised to know that there are public recreation areas where people come into contact with the water and public water intake structures immediately downstream of some marinas on our lakes. Water quality testing at public recreation areas during the 2003 and 2004 summers repeatedly showed increased levels of fecal coliform. Once those levels reach a certain level at a recreation area, we are forced to close the area until tests document a return to safe levels.



Enforcement

a. Water Quality Testing. The Corps initiated a water quality testing program in 2005 to evaluate water quality in and around marinas. This will help us to determine whether or not the problems we are encountering downstream are related to illegal dumping at the marinas.



b. Pump-out services. Marina operators are required to provide pump-out services at their marinas, or to have a written agreement with a marina in the general vicinity to provide pump-out services.

c. Pump-out Logs. Beginning in 2006, marina operators will be required to maintain a log of sewage pump-outs at their marinas. The log will identify the boat, the dates of pump-out, the

name of the employee responsible for the log entry, and details pertaining to any inadvertent spillage that occurs during the pump out.

d. Consent to Inspections. Beginning in 2006, all of our marina operators will be required to include provisions in their slip rental agreements with boat owners that **constitute the boat owners' consent to inspection of their marine sanitation devices to confirm that they are properly sealed against discharge.**

e. Inspections. The Louisville District Corps of Engineers, U.S. Coast Guard Sector Ohio Valley, and Kentucky Department of Fish & Wildlife Resources have entered into a cooperative effort to insure that boats moored at our marinas are properly sealed against discharge.

Rules, Regulations and Penalties

FEDERAL



Title 36 of the Code of Federal Regulations, Section 327.9(c) – "The spilling, pumping, discharge or disposal of ...wastes, including ...human or animal waste...into project waters is prohibited."

Penalty

A fine of not more than \$5000 or imprisonment for not more than 6 months, or both.

Title 40 of the Code of Federal Regulations, Section 140.3 (a)(1) – "In freshwater lakes...marine sanitation devices...shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or...secured so as to prevent such discharges."

Title 33 of the Code of Federal Regulations, Section 159.7(2)(b) & (c) – "When operating a vessel...the discharge of treated or untreated sewage is prohibited by the Environmental Protection Agency...the operator must secure each Type I, II, or III device in a manner which prevents discharge...."

Penalty

Penalty for 1st offense, minimum of \$375; for a 2nd offense, minimum of \$1,125; and for 3rd (or subsequent) offense, minimum of \$2,250.

STATE

KRS 235.420 – “No person shall discharge or permit from any vessel the discharge of sewage...or other wastes to the waters of the Commonwealth....”

KRS 235.430 – “No person shall dispose of sewage accumulated in a holding tank, a marine sanitation device, or other similar container on a houseboat in a manner that the sewage reaches or may reach the water of the Commonwealth....”

Penalty

Fines ranging from \$15 to \$100 for 1st offense, \$100 to \$300 for 2nd offense, and \$300 to \$500 for 3rd (or subsequent violations).

How to Avoid Penalties

a. Insure that your boat is properly sealed to prevent the discharge of sewage into our project waters.

b. Insure that holding tanks on your boat are properly pumped out, and that there is no inadvertent spillage of sewage into the lake during pump out. If there is a spillage, report it immediately to the marina operator.



We extend our sincere appreciation to all boat owners who have voluntarily taken the proper measures to prevent discharge into our lakes. Our enforcement efforts are necessary to insure clean waters for many more years of quality recreation on our lakes.

Thank you for your cooperation.



**US Army Corps
of Engineers**
Louisville District



Marine Sewage Disposal



***A Cooperative Enforcement
Effort between the United States
Army Corps of Engineers, the
United States Coast Guard and
the Kentucky Department of
Fish and Wildlife Resources***



**US Army Corps
of Engineers**
Louisville District

